

1 WAUKEEN Q. MCCOY, ESQ.  
2 LAW OFFICES OF WAUKEEN Q. MCCOY  
3 703 Market Street, Suite 407  
4 San Francisco, CA 94103  
5 Telephone: 415-675-7705  
6 Facsimile: 415-675-2530

7 Attorneys for Plaintiff  
8 NANCY ZAYED

9 LYNNE C. HERMLE (STATE BAR NO. 99779)  
10 JOSEPH C. LIBURT (STATE BAR NO. 155507)  
11 JESSICA R. PERRY (STATE BAR NO. 209321)  
12 ORRICK, HERRINGTON & SUTCLIFFE LLP  
13 1000 Marsh Road  
14 Menlo Park, CA 94025  
15 Telephone: 650-614-7400  
16 Facsimile: 650-614-7401

17 Attorneys for Defendants  
18 APPLE COMPUTER, INC. and  
19 DAVID BLACK

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

22 NANCY ZAYED, an individual,

23 Plaintiff,

24 v.

25 APPLE COMPUTERS, a corporation doing  
26 business in California; DAVID BLACK, an  
27 individual, and DOES 1-5(), inclusive,

28 Defendants.

Case No. C-04-1787

**STIPULATION AND [PROPOSED]  
ORDER TO DISMISS ALL CLAIMS  
AGAINST DEFENDANTS APPLE  
COMPUTERS AND DAVID BLACK  
WITH PREJUDICE**

**STIPULATION**

Plaintiff Nancy Zayed ("Zayed") and Defendants Apple Computers and David Black (collectively "Defendants"), through their respective counsel of record, stipulate pursuant to Rule 41 of the Federal Rules of Civil Procedure as follows:

1. This action is hereby dismissed with prejudice; and
2. Each party shall bear its own costs and attorneys fees; and
3. This court will retain jurisdiction to enforce the terms of the underlying settlement agreement.

Dated: September \_\_, 2006

WAUKEEN Q. MCCOY, ESQ.  
LAW OFFICES OF WAUKEEN Q. MCCOY

*/s/ Waukeen Q. McCoy*  
\_\_\_\_\_  
Waukeen Q. McCoy  
Attorneys for Plaintiff  
Nancy Zayed

Dated: September 14, 2006

LYNNE C. HERMLE  
JOSEPH C. LIBURT  
JESSICA R. PERRY  
ORRICK, HERRINGTON & SUTCLIFFE LLP

*/s/ Jessica R. Perry*  
\_\_\_\_\_  
Jessica R. Perry  
Attorneys for Defendants:  
Apple Computer, Inc. and David Black

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 15th, 2006

*James Ware*  
\_\_\_\_\_  
Hon. James Ware  
UNITED STATES DISTRICT JUDGE